

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
Southern District of New York

SUMMONS IN A CIVIL CASE

One Communications Corp., as successor in
interest to CTC Communications Group, Inc.
and CTC Communications Acquisition Corp.,

Plaintiff,

V.

'07 CIV 3905
CASE NUMBER:

JP Morgan SBIC LLC, Sixty Wall Street SBIC
Fund, L.P., The Megunticook Fund II, L.P.,
The Megunticook Side Fund II, L.P.,
Kevin O'Hare, Jeffrey Koester, Mellon Investor
Services LLC as nominal defendant as escrow
agent and Verizon New England Inc. as defendant
on a declaratory judgment claim,

JUDGE SWAIN

Defendants.

TO: (Name and address of Defendant)

See attached list of defendants.

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

TEITLER & TEITLER
John M. Teitler (JT-3111)
Nicholas W. Lobenthal (NL-1451)
1114 Avenue of the Americas
New York, NY 10036
(212) 997-4400

an answer to the complaint which is served upon you with this summons, within 20 days
after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint. Any answer that you serve
upon the parties to this action must be filed with the Clerk of this Court within a reasonable period of time
after service.

J. MICHAEL McMAHON
CLERK

DATE **MAY 18 2007**

Marcos Quintero
(BY) DEPUTY CLERK

LIST OF DEFENDANTS

JP Morgan SBIC LLC
C/o J.P. Morgan Partners, LLC
270 Park Avenue
New York, NY 10017
New York County

Sixty Wall Street SBIC Fund, L.P.
270 Park Avenue
New York, NY 10017
New York County

The Megunticook Fund II, L.P.
143 Newbury Street
Boston, MA 02116
Suffolk County

The Megunticook Side Fund II, L.P.
143 Newbury Street
Boston, MA 02116
Suffolk County

Kevin O'Hare
48 Steeplechase Drive
Doylestown, PA 18901
Bucks County

Jeffrey Koester
32 Haskell Lane
Marlborough, Massachusetts 01752
Middlesex County

Verizon New England Inc.
185 Franklin Street
Boston, MA 02110
Suffolk County

Mellon Investor Services LLC
480 Washington Boulevard
Jersey City, NJ 07310
Hudson County

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07 CIV 3905

Purchased/Filed: May 18, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

One Communications Corp., as successor in interest to CTC Communications Group, Inc., et ano.

Plaintiff

against

JP Morgan SBIC LLC, Sixty Wall Street SBIC Fund, L.P., The Megunitcook Fund II, L.P., et al.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on May 22, 2007, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Civil Cover Sheet, Individual Practices of Judge Laura Taylor Swain, 3rd Amended Instructions for Filing an Electronic Case or Appeal, Procedures for Electronic Case Filing, Guidelines for Electronic Case Filing and Individual Practices of Magistrate Judge Andrew J. Peck Bearing the above Index # and Filing Date on

Sixty Wall Street SBIC Fund, L.P., theDefendant in this action, by delivering to and leaving with Carol Vogt,

AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the

Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the timeof making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said servicewas made pursuant to Section 121-109 Revised Limited Partnership Act.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 46 Approx. Wt: 110 lbs. Approx. Ht: 5' 1"Color of skin: White Hair color: Brown Sex: Female Other: glasses

Sworn to before me on this

25th day of May 2007Deborah A Bottisti (Berlin)

DEBORAH A BOTTISTI

NOTARY PUBLIC, State of New York

No 01BO6036756, Qualified in Albany County

Commission Expires February 7, 2010

Jessica Miller

Jessica Miller

Invoice*Work Order # 0611804

State of New York - Department of State
Receipt for Service

Receipt #: 200705220255

Date of Service: 05/22/2007

Service Company: 05 ATTORNEY'S PROCESS & RESEARCH SERVICES -

Cash #: 200705220209

Fee Paid: \$40 - DRAWDOWN

Service was directed to be made pursuant to: SECTION 121-109 OF THE REVISED
LIMITED PARTNERSHIP ACT

Party Served: SIXTY WALL STREET SBIC FUND, L.P.

Plaintiff/Petitioner:

ONE COMMUNICATIONS CORP.

Service of Process Address:

SIXTY WALL STREET SBIC FUND, L.P.

60 WALL STREET

NEW YORK, NY 10260

Secretary of State

By CAROL VOGT

TEITLER & TEITLER

John M. Teitler (JT-3111)

Nicholas W. Lobenthal (NL1451)

1114 Avenue of the Americas

New York, NY 10036

(212) 997-4400

Attorneys for Plaintiff One Communications Corp.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

)
One Communications Corp., as successor in)
interest to CTC Communications Group, Inc.)
and CTC Communications Acquisition)
Corp.,)

Plaintiff,)

- v. -)

JP Morgan SBIC LLC, Sixty Wall Street)
SBIC Fund, L.P., The Megunticook Fund II,)
L.P., The Megunticook Side Fund II, L.P.,)
Kevin O'Hare, Jeffrey Koester, Mellon)
Investor Services LLC as nominal defendant)
as escrow agent and Verizon New England)
Inc. as defendant on a declaratory judgment)
claim,)

Defendants.)
)
)
)

O7 CV 3905 (LTS)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Charles F. Mon, being duly sworn, depose and say:
I am not a party to this action, am over the age of 18 and reside
at 108-24 71st Avenue, Forest Hills, NY 11375. I am a licensed
process server license No. 0921878.

On May 22, 2007, at approximately 12:16 P.M., I served the within SUMMONS, COMPLAINT, RULE 7.1 DISCLOSURE STATEMENT, CIVIL COVER SHEET, INDIVIDUAL PRACTICES OF JUDGE LAURA SWAIN, 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL, PROCEDURES FOR ELECTRONIC CASE FILING, GUIDELINES FOR ELECTRONIC CASE FILING AND INDIVIDUAL PRACTICES OF MAGISTRATE PECK on Sixty Wall Street SBIC Fund, L.P., One Chase Manhattan Plaza, New York, NY 10081, by delivering a true copy thereof to Doreen Bertone, Legal Specialist III, Legal Department. Ms. Bertone is a Caucasian female, approx. 45 years old, 5'3", 150 lbs., with brown hair.


Charles F. Mon

Sworn to before me this
23rd day of May, 2007


NOTARY PUBLIC

LAUREN PRUZAN GAYNOR
Notary Public, State of New York
No. 02GA6045759
Qualified in New York County
Commission Expires July 31 2010